

**COUNTY COUNCIL  
OF  
HOWARD COUNTY, MARYLAND**

**2008 Legislative Session**

**Legislative Day No. 6  
May 22, 2008**

**HOWARD COUNTY TO WIT:**

The Chairman called the session to order at 11:10 a.m.

Courtney Watson, Chairperson; Mary Kay Sigaty, Vice Chairperson; Calvin Ball, Council Member; Greg Fox, Council Member; and Jennifer Terrasa, Council Member, were present. Sheila Tolliver; Administrator to the County Council; Margaret Nolan, County Solicitor; Jim Vannoy and Lynne Robeson, Office of Law, were also present.

**FINAL CONSIDERATION**

**Fiscal Year 2009 Budget**

Council Bill No. 28-2008 – To authorize and empower Howard County, Maryland, to borrow up to \$120,833,603 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County capital projects (including bridge projects, general county projects, storm drainage projects, school system projects, fire and rescue projects, road construction projects, roadside and sidewalk projects, a library project, community college projects, parks and recreation projects, intersection improvements projects and a community renewal project), which are specified and described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain capital projects previously authorized in calendar year 2004, and to pay costs of issuance of such bonds

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The Chairperson moved to adopt Council Bill No. 28-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 28-2008 as follows:

In each of the following places, strike "120,833,603" and substitute "119,840,603":

1. In the first line of the title,
2. On page 1, in lines 7 and 19,
3. On page 4, in line 9, and
4. On page A-16, after "**TOTAL AMOUNT TO BE BORROWED:**" and

In each of the following places, strike "9,758,603" and substitute "9,148,603":

1. On page 1, in line 10, and
2. On page A-16, after "**TOTAL NEW AUTHORIZATIONS/REAUTHORIZATIONS**"

and

On page A-2, in the line beginning "C0282", strike "2,500,000" and substitute "5,256,000"

and

On page A-3, after "**General County Projects – New Authorizations/Reauthorizations**" strike "54,455,000 and substitute "57,211,000"

and

On page A-3, after "**General County Projects – Total**", strike "55,173,000" and substitute "57,929,000"

and

On page A-6, in the line beginning "E0980", strike "1,020,000" and substitute "890,000"

and

On page A-6, in the three lines beginning "E0991", delete the entire description of the project and the "1,519,000" in the column captioned "Amount to be Borrowed (New Authorizations)"

and

On page A-6, in the line beginning "E1008", strike "6,285,000" and substitute "4,795,000"

and

On page A-7, after "**School Systems Projects – New Authorizations/Reauthorizations**", strike "19,152,000" and substitute "16,013,000"

and

On page A-7, after "**School Systems Projects – Total**", strike "21,177,400" and substitute "18,038,400"

and

On page A-8, in the four lines beginning "F5551", delete the entire description of the project and the "610,000" in the column captioned "Amount to be Borrowed (Reauthorizations)"

and

On page A-11, after "**Fire and Rescue Projects – New Authorizations/Reauthorizations**" strike "\$610,000"

and

On page A-11, after "**Fire and Rescue Projects – Total**", strike "1,530,000" and substitute "920,000"

and

On page A-16, after "TOTAL NEW AUTHORIZATIONS/REAUTHORIZATIONS", strike "11,075,000" and substitute "110,692,000"

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 1 to Council Bill No. 28-2009 as follows:

On page 1 of Amendment No. 1, in line 7, strike "119,840,603" and substitute "91,950,603"

and

On page 1 of Amendment No. 1, after line 20, insert

"and

On page A-2, in the five lines beginning "C0214", delete the entire description of the project and the "\$27,000,000" in the column captioned "Amount to be Borrowed (New Authorizations)""

and

On page 1 of Amendment No. 1, after line 24, insert

"and

On page A-2, in line beginning "C301", strike "1,600,000" and substitute "1,500,000"

and

On page A-2, in the line beginning "C303", strike "1,000,000" and substitute "750,000"

and

On page A-3, in the line beginning "C311", strike "400,000" and substitute "300,000"

and

On page A-3, in the line beginning "C312", strike "3,750,000" and substitute "3,650,000"

and

On page A-3, in the line beginning "C315", strike "750,000" and substitute "650,000"

and

On page 1 of Amendment No. 1, in line 28, strike "57,211,000" and substitute "29,561,000"

and

On page 1 of Amendment No. 1, in line 33, strike "57,729,000" and substitute "30,279,000"

and

On page 1 of Amendment No. 1, in line 37, strike "890,000" and substitute "650,000"

and

On page 1 of Amendment No. 1, in line 50, strike "16,013,000" and substitute "15,773,000"

and

On page 2 of Amendment No. 1, in line 4, strike "18,038,400" and substitute "17,798,400"

and

On page 2 of Amendment No. 1, in line 24 strike "110,692,000" and substitute "82,802,000"

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was:

Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Amendment No. 1 to Council Bill No. 28-2008 passed.

The roll call vote called by the Chairperson on Amendment No. 1 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Bill No. 28-2008 passed as amended.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 28-2008 passed as amended.

Council Bill No. 29-2008 – To authorize and empower Howard County, Maryland, to borrow up to \$13,950,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County education capital projects, as more particularly described in the County's 2009 Capital Budget (including, without limitation, borrowings for one of such capital projects previously authorized in 2004, and to pay costs of issuance of such bonds

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The Chairperson moved to adopt Council Bill No. 29-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 29-2008 passed.

Council Bill No. 30-2008 – To authorize and empower Howard County, Maryland, to borrow up to \$19,101,000 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County bridge, road construction and intersection improvements capital projects specified and described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain of such capital projects previously authorized in 2004) and to pay costs of issuance of such bonds

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The Chairperson moved to adopt Council Bill No. 30-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 30-2008 passed.

Council Bill No. 31-2008 – To authorize and empower Howard County, Maryland, to borrow up to \$144,569,618 on its full faith and credit, and issue and sell its bonds therefor, to be used to pay costs of certain County water and sewer capital projects, as described in the County's 2009 Capital Budget (including, without limitation, borrowings for certain water and sewer projects previously authorized in 2004), and to pay costs of issuance of such bonds

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The Chairperson moved to adopt Council Bill No. 31-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 31-2008 passed.

Council Bill No. 32-2008 – AN ACT to authorize and empower Howard County, Maryland to borrow, on its full faith and credit, up to \$63,000,000 from the Maryland Water Quality Financing Administration (the "Administration"), and to issue and sell its installment bonds to the Administration, the proceeds thereof to be used to pay costs of Capital Project No. S-6214 (Sewer Contingency Fund), as described in the County's 2009 Capital Budget, and to pay all related costs

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The Chairperson moved to adopt Council Bill No. 32-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 32-2008 passed.

Council Bill No. 43-2008 – Adopting the current expense budget and the capital budget for the fiscal year beginning July 1, 2008 and ending June 30, 2009, to be known as the Annual Budget and Appropriation Ordinance of Howard County, Fiscal 2009

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The Chairperson moved to adopt Council Bill No. 43-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 43-2008 as follows: *(This amendment makes various changes to the Capital Budget for Fiscal Year 2009 as follows:*

- |     |  |  |  |
|-----|--|--|--|
| 1.  | C0182  | Public Safety Education Center           | Subtracts \$1,000,000 in bond funding  |
| 2.  | C0282  | Government Service Campus                | Adds \$2,756,000 in bond funding and \$244,000 in pay-go funding, and subtracts \$3,000,000 in other funding |
| 3.  | D1153  | Intra-Flood Acquisition Program          | Subtracts \$471,000 in bond funding  |
| 4.  | E2000  | Fiscal Interagency Fund Balance          | Adds \$4,997,000 in bond funding and subtracts \$4,997,000 in Aid for Schools funding                        |
| 5.  | E0991  | Full Day Kindergarten                    | Adds \$1,580,000 in Aid for Schools funding and subtracts \$1,580,000 in bond funding                        |
| 6.  | E0972  | Bushy Park Elementary School Replacement | Adds \$38,000 in Aid for Schools funding and subtracts \$38,000 in bond funding                              |
| 7.  | E0980  | Systemic Renovations                     | Adds \$130,000 in Aid for Schools funding and subtracts \$130,000 in bond funding                            |
| 8.  | E1008  | Elkridge Elementary School Addition      | Adds \$1,490,000 in Aid for Schools funding and subtracts \$1,490,000 in bond funding                        |
| 9.  | F5551  | Banneker Fire Station                    | Subtracts \$1,285,000 in bond funding  |
| 10. | The following projects have been deleted from the budget:<br>C0291 Glenwood Community Center<br>S6271 Deerfield Drive Sewer Easement Acquisition<br>W8281 Emergency Water Supply               |  |  |
| 11. | The following projects have been added to the budget for accounting or financial adjustments:<br>P4925 Renovation of the 911 Center                      Subtracts \$244,000 in pay-go funding |  |  |

Remove pages 145 through 202 from the Capital Budget for Fiscal Year 2009, attached to the Bill as introduced, and replace with the substitute pages 145 through 201 attached to this Amendment. Make corresponding changes in the Capital Budget Detail.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 1 to Council Bill No. 43-2008 as follows: *(This amendment to amendment deletes \$1,759,000 in bond funding from project E0980.)*

After paragraph 11 of Amendment No. 1 add a new paragraph 12 as follows:

12. *Delete \$1,759,000 in bond funding from Capital Project E0980.*

Remove pages 153, 155 and 156 from Amendment No. 1 and substitute pages 153, 155 and 156 attached to this amendment to Amendment No. 1. Make corresponding changes in the Capital Budget Detail.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was:  
Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Amendment No. 1 to Council Bill No. 43-2008 passed.

The Chairperson moved to adopt Amendment No. 2 to Amendment No. 1 to Council Bill No. 43-2008 as follows: *(This amendment reduces the funding for project C0282, Government Service Campus)*

On page 1, in item #2 (C0282, Government Service Campus), in line 3 of the explanatory text in column 3, strike “\$3,000,000” and substitute “\$12,500,000” and make the corresponding reduction in the detailed pages as follows: \$4,200,000 reduced from land acquisition, \$800,000 reduced from Plans and Engineering, and \$4,500,000 reduced from Construction.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 2 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox.

Amendment No. 2 to Amendment No. 1 to Council Bill No. 43-2008 failed.

The Chairperson moved to adopt Amendment No. 3 to Amendment No. 1 to Council Bill No. 43-2008 as follows: *(This amendment reduces the funding for project C0282, Government Service Campus, eliminates the reductions for projects C0182, D1153, and F5551, and adds to E0980 Systemic Renovation)*

On page 1, in item #2 (C0282, Government Service Campus), beginning in line 1 of the explanatory text in column 3, strike “\$2,756,000 in bond funding and” and in line 2 of that paragraph after “funding,” add “subtracts \$6,200,000 in other funds,” and

In line 2 of the explanatory text in column 3 next to 7, strike “funding”, and in 1 of the explanatory text in column 3 next to 7, System Renovations, after “Schools” , add, “funding, adds \$3,444,000 in other funding,” and

Strike items 1, 3, and 9 in their entirety, and

Make the corresponding changes in the detailed budget pages, including a reduction the FY 09 categories of expenditure for project C0282 as follows: subtract \$4,200,000 from Land Acquisition, subtract \$1.8 million from Construction, and subtract \$200,000 from Plans and Engineering.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 3 to Amendment No. 1 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox. Amendment No. 3 to Amendment No. 1 to Council Bill No. 43-2008 failed.

The Chairperson moved to adopt Amendment No. 4 to Amendment No. 1 to Council Bill No. 43-2008 as follows: *(This amendment reduces the funding for project C0282, Government Service Campus, and adds to E0980 Systemic Renovation and E0995, Site Acquisition and Construction Reserve)*

On page 1, in item #2 (C0282, Government Service Campus), beginning in line 3 of the explanatory text in column 3, strike “\$3,000,000” and substitute, “\$9,000,000” and

In line 2 of the explanatory text in column 3 next to 7, Systemic Renovations, strike “funding” and add “funding, adds \$3,500,000 in other funds,” and

After item 7, add the following:

<u>“8. E0995</u>	<u>Site Acquisition and Construction Reserve</u>	<u>Adds \$2,500,000 in other funds .”</u>
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And renumber the remaining items in Amendment 1 accordingly; and

Make the corresponding changes in the detailed budget pages, including a reduction the FY 09 categories of expenditure for project C0282 as follows: subtract \$5 million from Construction, and subtract \$1,000,000 from Plans and Engineering, and

Make the corresponding changes on pages 145, 147, 148, 153, and 154 from the Capital Budget for Fiscal Year 2009 attached to the Amendment.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 4 to Amendment No. 1 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox. Amendment No. 4 to Amendment No. 1 to Council Bill No. 43-2008 failed.

The roll call vote called by the Chairperson on Amendment No. 1 as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Bill No. 43-2008 passed as amended.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 43-2008 as follows: *(This amendment makes the following changes in the Water and Sewer Operating Fund:*

1. *Reduces expenses in Support Division Account by \$310,000 to reflect a reduction from 9% to 8% in the expected increase in the cost of water from Baltimore City; and*
2. *Reduces revenues in the Charges for Services category by \$310,000 to reflect the reduction in the cost increase for water purchasers mentioned above; and*
3. *Reduces \$3,004,612 from the Salary, Wages & Fringe Benefits of the Maintenance Division to account for a technical error.*

Remove pages 98, 99, 106, 108, 134 and 135 from the Operating Budget for Fiscal Year 2009, attached to the Bill as introduced, and insert the substitute pages attached to this Amendment.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 2 to Council Bill No. 43-2008 passed.

The Chairperson moved to adopt Amendment No. 3 to Council Bill No. 43-2008 as follows: *(This amendment transfers \$1,700,000 to project E0980 Systemic Renovations.)*

- (1) In the capital budget attached to this Bill:
  - a. on page 143, reduce project B3857 by \$300,000 in bond funding;
  - b. on page 146, reduce project C0301 by \$100,000 in bond funding;
  - c. on page 147, reduce project C0302 by \$100,000 in bond funding;
  - d. on page 147, reduce project C0303 by \$250,000 in bond funding;
  - e. on page 147, reduce project C0311 by \$100,000 in bond funding;
  - f. on page 147, reduce project C0312 by \$100,000 in bond funding;
  - g. on page 148, reduce project C0315 by \$100,000 in bond funding; and
  - h. on page 163, reduce project H2008 by \$650,000 in PAYGO funding.
- (2) In the capital budget attached to this Bill, on page 154, increase bond funding for project E0980 Systemic Renovations by \$1,050,000 and increase PAYGO funding by \$650,000;
- (3) In the capital budget detail, make the changes corresponding to items (1) and (2); and
- (4) Correct all subtotals, totals, and other calculated figures as necessary.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 3 to Council Bill No. 43-2008 as follows: *(This amendment corrects drafting errors in fund sources.)*



In line 2, strike “bond” and substitute “PAYGO”.  
In line 4, strike “bond” and substitute “PAYGO”.  
In line 11, strike “\$1,050,000” and substitute “\$650,000”.  
In line 12, strike “\$650,000” and substitute “\$1,050,000”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was:  
Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.  
Amendment No. 1 to Amendment No. 3 to Council Bill No. 43-2008 passed.

The roll call vote called by the Chairperson on Amendment No. 3 as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty and Terrasa.  
Amendment No. 3 to Council Bill No. 43-2008 passed as amended.

The Chairperson moved to adopt Amendment No. 4 to Council Bill No. 43-2008 as follows: *(This amendment transfers \$800,000 from project N3960 Robinson Nature Center to project E0980 Systemic Renovations.)*

1. In the capital budget attached to this Bill, on page 182, reduce the FY 2009 bond funding for project N3960 Robinson Property Nature Center by \$800,000;
2. In the capital budget detail, reduce the FY 2009 bond funding for project N3960 Robinson Property Nature Center by \$800,000;
3. In the capital budget attached to this Bill, on page 154, increase bond funding for project E0980 Systemic Renovations by \$800,000;
4. In the capital budget detail, increase bond funding for project E0980 Systemic Renovations by \$800,000; and
5. Correct all subtotals, totals, and other calculated figures as necessary.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 4 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox.  
Amendment No. 4 to Council Bill No. 43-2008 failed.

The Chairperson moved to adopt Amendment No. 6 to Council Bill No. 43-2008 as follows: *(This amendment transfers some funding for the County Council to E0980 Systemic Renovations.)*

In the current expense budget attached to this Bill:

1. On page 22, under 1000101 County Council, reduce “Business & Education Expenses” by \$10,000;
2. Also on page 22, under 1000201 Board of Appeals, reduce “Business & Education Expenses” by \$1,400;
3. Also on page 22, under 1000103 County Auditor, reduce “Salaries, Wages & Fringe Benefits” by \$39,586; and
4. Correct all subtotals, totals, and other calculated figures as necessary.

In the capital budget attached to this Bill on page 154, add \$50,986 to in PAYGO funding to project E0980 Systemic Renovations for FY2009.

In the capital budget detail, add \$50,986 to in PAYGO funding to project E0980 Systemic Renovations for FY2009.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 6 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 6 to Council Bill No. 43-2008 passed.

The Chairperson moved to adopt Amendment No. 8 to Council Bill No. 43-2008 as follows: *(This amendment reduces funding for fixed route buses.)*

In the current expense budget attached to this Bill:

1. On page 21, under 0160100 Transportation Services, reduce Other Operating Expenses by \$620,000;
2. On page 66, reduce 0160715 Fixed Route Buses, Contractual Services, by \$620,000; and
3. On page 127, in the sixth line of the table, reduce "Other" by \$620,000.

In the capital budget attached to this Bill, on page 154, add \$620,000 in PAYGO funding to project E0980 Systemic Renovations for FY2009.

In the capital budget detail, add \$620,000 in PAYGO funding to project E0980 Systemic Renovations for FY2009.

Correct all subtotals, totals, and other calculated figures as necessary.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 8 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox.

Amendment No. 8 to Council Bill No. 43-2008 failed.

The Chairperson moved to adopt Amendment No. 9 to Council Bill No. 43-2008 as follows: *(This amendment transfers funding from C0214 Category Contingency Account to E1005 Mt. Hebron High School Renovation.)*

In the capital budget attached to this Bill, for the Fiscal 2009 budget appropriation:

1. In capital project C0214 Category Contingency Account, which appears on page 145, strike \$27,000,000 in bond funding; and
2. In capital project E1005 Mt. Hebron High School Renovation, which appears on page 155, add \$27,000,000 in bond funding;

In the capital budget detail, for the Fiscal 2009 budget appropriation:

1. remove \$27,000,000 in bond funding from project C0214; and
2. add \$27,000,000 in bond funding for project E1005.

Correct all subtotals, totals, and other calculated figures as necessary.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 9 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 9 to Council Bill No. 43-2008 passed.

The Chairperson moved to withdraw Amendment No. 10 to Council Bill No. 43-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson to withdraw the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion passed.

The Chairperson moved to withdraw Amendment No. 11 to Council Bill No. 43-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson to withdraw the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion passed.

The Chairperson moved to adopt Amendment No. 12 to Council Bill No. 43-2008 as follows: *(This amendment reduces authority to buy certain buildings for project C0282.)*

In the Capital Budget Detail, for project C0282, strike “possible acquisition of office space in Meridian Square located at 5901 Stevens Forest Road;”

On page 2, after line 10, insert:

“Maryland that no funds shall be expended for the acquisition of any part of Meridian Square. Section 6. **And Be It Further Enacted** by the County Council of Howard County.”

Also on page 2, in line 15, strike “6” and substitute “7”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 12 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox.

Amendment No. 12 to Council Bill No. 43-2008 failed.

The Chairperson moved to adopt Amendment No. 13 to Council Bill No. 43-2008 as follows: *(This allows money in project N3108 Park Systemic Improvements to be used for skate parks.)*

In the capital budget detail, for project N3108 Park Systemic Improvements, at the end of the “Remarks” section, insert: “Project may be used to acquire, repair, or replace skate park equipment.”

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 13 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 13 to Council Bill No. 43-2008 passed.

The Chairperson moved to adopt Amendment No. 14 to Council Bill No. 43-2008 as follows: *(This amendment removes the appropriation for recycling containers.)*

In the current expense budget attached to this Bill:

1. for the Environmental Services Fund, which appears on page 123, strike the line that includes "Capital purchases containers";
2. in the column labeled "Budget FY2009", reduce the "Charge for services" entry by \$1,034,000; and
3. correct all subtotals, totals, and other calculated figures as necessary.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 14 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox.

Amendment No. 14 to Council Bill No. 43-2008 failed.

The Chairperson moved to adopt Amendment No. 16 to Council Bill No. 43-2008 as follows: *(This amendment reduces the appropriation for commercial recycling and increases the appropriation for project E0980 Systemic Renovations.)*

In the current expense budget attached to this Bill, on page 13, under "0090101 Director's Office", reduce the FY2009 Proposed Budget for Contractual Services by \$250,000.

In the capital budget attached to this Bill, for capital project E0980 Systemic Renovations, which appears on page 154, increase PAYGO funding by \$250,000.

Correct all subtotals, totals, and other calculated figures as necessary.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 16 to Council Bill No. 43-2008 as follows: *(This amendment adds a condition for enrollment.)*

In line 9, after "enrollment" insert "and are residents of Howard County".

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox. Amendment No. 1 to Amendment No. 16 to Council Bill No. 43-2008 failed.

The roll call vote called by the Chairperson on Amendment No. 16 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox. Amendment No. 16 to Council Bill No. 43-2008 failed

The Chairperson moved to adopt Amendment No. 17 to Council Bill No. 43-2008 as follows: *(This amendment places a condition on capital project C0282 for the expenditure of funds for the Meridian Square Condominium Office Unit.)*

On page 2, before line 15, insert:

**“Section 6. And Be It Further Enacted** by the County Council of Howard County, Maryland, that County funds shall not be expended from the budget appropriation for capital project C0282 for the purchase of the “Office Condominium Unit” located in Meridian Square Condominium unless, prior to the County’s settlement for the purchase of the Office Condominium Unit, all condominium documents, including without limitation the Declaration and Bylaws of the Meridian Square Condominium, provide that if the Developer/Owner, within two years after the County’s settlement for the purchase of the Office Condominium Unit, sells space in Meridian Square Condominium to any other purchaser at a cost per square foot that is less than the County paid for its space, the Developer/Owner must refund to the County the difference between the County’s purchase price and the purchase price the County would have paid at the lesser cost per square foot, which lesser cost shall include reductions for all price incentives (for example, a “build-out” allowance or a lower “core factor” percentage per square foot) that the Developer/Owner provides to any other purchaser.”.

On the same page, in line 15, strike “6” and substitute “7”.

Make the corresponding notation in the proposed Capital Budget Detail Fiscal Year 2009.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 17 was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox.

Amendment No. 17 to Council Bill No. 43-2008 failed.

The roll call vote called by the Chairperson on Council Bill No. 43-2008 as amended was: Yea: Council Members Watson, Ball, Sigaty and Terrasa; Nay: Council Member Fox. Council Bill No. 43-2008 passed as amended.

Council Bill No. 44-2008 – Amending the Pay Plan for Howard County; establishing pay rates for certain employees; adding and amending certain classification titles and pay grades; removing certain provisions related to certain awards; adding or amending certain specialty pays and longevity steps; making certain technical corrections; providing for the application of this Act; and generally relating to the Pay Plan for Howard County

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The Chairperson moved to adopt Council Bill No. 44-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 44-2008 passed.

Council Resolution No. 41-2008 – Approving the Capital Program for Howard County for Fiscal Years 2010 through 2014 and the Extended Capital Program for Fiscal Years 2015 through 2018

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The Chairperson moved to adopt Council Resolution No. 41-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 41-2008 as follows: *(This amendment reflects changes to the Capital Program for Fiscal Years 2010 through 2014 and to the Extended Capital Program for Fiscal Years 2015 through 2018 as a result of changes to the Capital Budget for Fiscal Year 2009.)*

In the Capital Program for Fiscal Years 2010 through 2014 that is attached to the Resolution as introduced remove pages 3, 4, 5, 6, 8, 9, 10, 14, 15, 16, 17, 42, 43, 46, 47, 48, 57, 58 and 59 and substitute the pages attached to this amendment.

In the Extended Capital Program for Fiscal Years 2015 through 2018 that is attached to the Resolution as introduced remove pages 62, 63, 64, 65, 67, 68, 69, 73, 74, 75, 76, 101, 102, 105, 106, 107, 116, 117 and 118 and substitute the pages attached to this amendment.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 1 to Council Resolution No. 41-2008 as follows: *(This amendment reflects changes to project E0980 in the Capital Program for Fiscal Years 2010 through 2014 and the Extended Capital Program for Fiscal Years 2015 through 2018 as a result of changes to the project in the Capital Budget for Fiscal Year 2009.)*

In the amended pages for the Capital Program for Fiscal Years 2010 through 2014 that is attached to Amendment No. 1 remove pages 11, 13 and 14 and substitute the pages attached to this amendment to Amendment No. 1.

In the amended pages for the Extended Capital Program for Fiscal Years 2015 through 2018 that is attached to Amendment No. 1 remove pages 70, 72 and 73 and substitute the pages attached to this amendment to Amendment No. 1.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was:  
Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Amendment No. 1 to Council Resolution No. 41-2008 passed.

The roll call vote called by the Chairperson on Amendment No. 1 as amended was: Yea:  
Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Resolution No. 41-2008 passed as amended.

The Chairperson moved to adopt Amendment No. 2 to Council Resolution No. 41-2008 as follows: *(This amendment transfers \$1,700,000 to project E0980 Systemic Renovations.)*

- (1) In the capital program and the extended capital program attached to this Resolution:
  - a. on pages 1 and page 60, reduce total funding for project B3857 by \$300,000;
  - b. on pages 4 and page 63, reduce total funding for project C0301 by \$100,000;
  - c. on pages 4 and page 63, reduce total funding for project C0302 by \$100,000;
  - d. on pages 4 and page 63, reduce total funding for project C0303 by \$250,000;
  - e. on pages 5 and page 64, reduce total funding for project C0311 by \$100,000;
  - f. on pages 5 and page 64, reduce total funding for project C0312 by \$100,000;
  - g. on pages 5 and page 64, reduce total funding for project C0315 by \$100,000; and
  - h. on pages 20 and 79, reduce total funding for project H2008 by \$650,000; and
  - i. on pages 11 and 70, increase funding for project E0980 Systemic Renovations by \$1,700,000.
- (2) Correct all subtotals, totals, and other calculated figures as necessary.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 2 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 2 to Council Resolution No. 41-2008 passed.

The Chairperson moved to withdraw Amendment No. 3 to Council Resolution No. 41-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to withdraw Amendment No. 3 to Council Resolution No. 41-2008 passed.

The Chairperson moved to adopt Amendment No. 8 to Council Resolution No. 41-2008 as follows: *(This amendment transfers funding from C0214 Category Contingency Account to E1005 Mt. Hebron High School Renovation.)*

In the capital program and the extended capital program attached to this Resolution:

1. in capital project C0214 Category Contingency Account, which appears on pages 3 and 62, subtract \$27,000,000 from the first TOTAL column in each case;
2. in capital project E1005 Mt. Hebron High School Renovation, which appears on pages 12 and 71, add \$27,000,000 in the first TOTAL column in each case; and
3. correct all subtotals, totals, and other calculated figures as necessary.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 8 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 8 to Council Resolution No. 41-2008 passed.

The Chairperson moved to suspend the rules to allow the introduction of Amendment No. 11 to Council Resolution No. 41-2008 that was not prefiled. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to suspend the rules passed.

The Chairperson moved to adopt Amendment No. 11 to Council Resolution No. 41-2008 as follows: *(This amendment conforms changes to the Capital Program for Fiscal Years 2010 through 2014 and to the Extended Capital Program for Fiscal Years 2015 through 2018 as a result of changes to the Capital Budget for Fiscal Year 2009.)*

In the Capital Program for Fiscal Years 2010 through 2014 that is attached to the Resolution and in the Extended Capital Program for Fiscal Years 2015 through 2018 that is attached to the Resolution, correct all figures as necessary to accommodate amendments to Council Bill 43-2008,

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 11 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 11 to Council Resolution No. 41-2008 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Watson, Ball, Sigaty and Terrasa; Nay: Council Member Fox.

Council Resolution No. 41-2008 passed as amended.

Council Resolution No. 42-2008 – Approving the Fiscal Year 2009 operating budget for the Howard Community College and indicating appropriations for major functional categories

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The Chairperson moved to adopt Council Resolution No. 42-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 42-2008 passed.

Council Resolution No. 43-2008 – Approving the County's portion of the Fiscal Year 2009 budget for the Department of Libraries and indicating appropriations for object classes

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The Chairperson moved to adopt Council Resolution No. 43-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 43-2008 passed.

Council Resolution No. 44-2008 – Setting forth the Fiscal Year 2009 Operating Budget for the Howard County Board of Education

---

The Chairperson moved to adopt Council Resolution No. 44-2008. The motion was seconded by Ms. Sigaty.



The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 44-2008 as follows: *(This amendment corrects categorical figures.)*

On page 1, in line 4, strike “\$191,760,150” and substitute “\$191,839,110”.

Also on page 1, in line 8, strike “\$657,009,060” and substitute “\$657,088,020”.

Also on page 1, in line 12, strike “\$132,028,460” and substitute “\$131,813,260”.

Substitute the tables attached to this amendment for the tables attached to the Resolution.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Resolution No. 44-2008 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 44-2008 passed as amended.

Council Resolution No. 45-2008 – Approving schedules for charges pertaining to the Metropolitan District and to water and sewer service

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The Chairperson moved to adopt Council Resolution No. 45-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 45-2008 passed.

Council Resolution No. 46-2008 – Approving schedules of fees for the functions regulated by the Department of Public Works

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The Chairperson moved to adopt Council Resolution No. 46-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 46-2008 as follows: *(This amendment changes the cost for an amendment or extension of a developer agreement for those projects that have 5 or more developer agreements.)*

Remove the page titled “Miscellaneous DPW Fees and Charges” as attached to the Resolution as introduced and substitute a new page titled “Miscellaneous DPW Fees and Charges” as attached to this amendment.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Resolution No. 46-2008 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.  
Council Resolution No. 46-2008 passed as amended.

Council Resolution No. 47-2008 – Approving a schedule of fees for the collection of refuse in Howard County

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The Chairperson moved to adopt Council Resolution No. 47-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 47-2008 as follows: *(This amendment reduces refuse collection charges commensurate with a budget reduction for recycling containers.)*

Section 1. In the Refuse Collection Charges schedule attached to this Bill strike all references to “\$210” and substitute “\$197”.

Section 2. If Amendment 14 to Council Bill 43-2008, which removes \$1,034,000 proposed for a capital purchase of containers from the Environmental Services Fund is not adopted, then this Amendment shall have no effect.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Nay: Council Members Ball, Sigaty and Terrasa; Yea: Council Members Watson and Fox.  
Amendment No. 1 to Council Resolution No. 47-2008 failed.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Ball, Sigaty and Terrasa; Nay: Council Members Watson and Fox.  
Council Resolution No. 47-2008 passed.

Council Resolution No. 48-2008 – Approving schedules of fees, fines and charges for functions regulated by the Howard County Department of Inspections, Licenses and Permits

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The Chairperson moved to adopt Council Resolution No. 48-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.  
Council Resolution No. 48-2008 passed.

Council Resolution No. 49-2008 – Approving schedules of fees and charges for functions regulated or administered by the Department of Planning and Zoning

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The Chairperson moved to adopt Council Resolution No. 49-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.  
Council Resolution No. 49-2008 passed.

Council Resolution No. 50-2008 – Adopting fees for Fire Prevention Services

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The Chairperson moved to adopt Council Resolution No. 50-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 50-2008 passed.

Council Resolution No. 51-2008 – Adopting a schedule of fees for functions regulated by the Department of Finance, including a schedule of fees for parking meter rates

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The Chairperson moved to adopt Council Resolution No. 51-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 51-2008 passed.

Council Resolution No. 52-2008 – Approving schedules of fees and rates for functions regulated and administered by the Department of Police

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The Chairperson moved to adopt Council Resolution No. 52-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 52-2008 passed.

Council Resolution No. 53-2008 – Approving schedules of fees for functions regulated by the Health Department

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The Chairperson moved to adopt Council Resolution No. 53-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 53-2008 passed.

Council Resolution No. 54-2008 – Approving fee and rate schedules for:

- (1) Applying for approval of an industrial development revenue bond or MIDFA bond or loan;
- (2) Solicitor and Peddler Identification Card;
- (3) Weekend Prisoners - Room and board;
- (4) Prisoner - Health care provider fee;
- (5) Participation in work release program;
- (6) Participation in home detention program;
- (7) Marriage license fee charge for funding of domestic violence programs;

- (8) Annual registration of trespass towing companies and maximum rates to be charged by trespass towing services;
- (9) Fee and specifications for transcripts of administrative proceedings; and
- (10) Reproduction of public records

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The Chairperson moved to adopt Council Resolution No. 54-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 54-2008 passed.

Council Resolution No. 55-2008 – Approving schedules of fines and penalties for violations of and administrative costs related to enforcement of Howard County’s parking laws, including administrative handling fees for parking citations and citations under the automated red light enforcement program

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The Chairperson moved to adopt Council Resolution No. 55-2008. The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 55-2008 as follows: *(This amendment reduces a fine.)*

In line 4, strike “\$360.66” and substitute “\$358”.

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The motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 2 to Amendment No. 1 to Council Resolution No. 55-2008 as follows: *(This amendment alters fines for certain parking violations.)*

In line 4, strike “\$360.66” and substitute “\$348”.

In line 7, strike “\$18” and substitute “\$23”.

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The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 2 to Amendment No. 1 to Council Resolution No. 55-2008 passed.

The roll call vote called by the Chairperson on the amendment as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Resolution No. 55-2008 passed as amended.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 55-2008 passed as amended.

Council Resolution No. 56-2008 – Levying a tax on certain admissions and amusements, establishing classes of admissions and amusements, setting tax rates on different classes, and providing for certain exemptions from the tax

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The Chairperson moved to adopt Council Resolution No. 56-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 56-2008 passed.

Council Resolution No. 57-2008 – Imposing a recordation tax on instruments of writing that convey title to or create or give notice of a security interest in real property, or that create or give notice of a security interest in personal property, and that are recorded with the Clerk of the Circuit Court

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The Chairperson moved to adopt Council Resolution No. 57-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 57-2008 passed.

Council Resolution No. 58-2008 – Adopting the schedule of rates for the Building Excise Tax

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The Chairperson moved to adopt Council Resolution No. 58-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 58-2008 passed.

Council Resolution No. 59-2008 – Levying Fire and Rescue tax rates beginning July 1, 2008

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The Chairperson moved to adopt Council Resolution No. 59-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 59-2008 passed.

Council Resolution No. 60-2008 - Levying a property tax for the fiscal year beginning July 1, 2008 and ending June 30, 2009; setting the tax rates for property; and providing for the collection of the property tax

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The Chairperson moved to adopt Council Resolution No. 60-2008. The motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 60-2008 passed.

## **ADJOURNMENT**

The Chairperson adjourned the session at 1:12 p.m.

## **TABLED LEGISLATION**

Council Bill No. 24-2008 – Establishing a Design Advisory Panel; requiring review by the Panel at the certain times in the development process and for the development of certain types of parcels; providing for the membership, chair, and staffing of the Panel; providing the guidelines and principals for the Panel to apply; providing for the duties and responsibilities of the Panel; requiring certain recommendations be made to the Director of the Department of Planning and Zoning; providing that the Director of Planning and Zoning and Hearing Authority can consider recommendations as a condition of plan and conditional use approval; authorizing the adoption of certain Rules of Procedure; authorizing certain fees; providing for certain exceptions applicable to the Panel; providing for certain appeals; requiring certain disclosures; providing for the expiration dates of the terms of the initial members of the Panel; providing for the application of this Act; and generally relating to the Design Advisory Panel (*Tabled 05/05/08*)

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Council Bill No. 25-2008 (ZRA-91) – Amending the Howard County Zoning Regulations to establish a requirement for review by the Design Advisory Panel of age-restricted adult housing projects that are required to receive conditional use approval; and generally related to age-restricted adult housing projects (*Tabled 05/05/08*)

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Council Bill No. 27-2008 (ZRA-88) – Introduced by: The Chair at the request of Taylor Family Limited Partnership A & B - Amending the Howard County Zoning Regulations to permit retail and personal service uses for age-restricted adult housing in the POR zoning district by right in certain circumstances; permit retail and personal service uses permitted in the B-1 zoning district by right in certain circumstances in the PEC zoning district; and generally relating to retail and personal service uses. (*Tabled 05/05/08*)

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